UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,773	12/11/2001	Hannu Konttinen	413-010727-US(PAR)	9944

2512   7590   05/01/2007

PERMAN & GREEN
425 POST ROAD
FAIRFIELD, CT 06824

EXAMINER
LUDWIG, MATTHEW J

ART UNIT	PAPER NUMBER
2178	

MAIL DATE	DELIVERY MODE
05/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 February 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-15</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-15</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is in response to the RCE filed 2/22/2007.

2.   Claims 1-15 are pending in the application. Claims 1, 7, 14, and 15, are independent

claims. Applicant added new independent claim 15.

3.   Claims 1-15 remain rejected under U.S.C. 103(a) as being unpatentable over Rivette in

view of Warnock have been withdrawn as necessitated by the amendment.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

5.   **Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rivette**

et al., USPN 5,623,679 filed (4/18/1995) in view of Warnock et al., USPN 5,634,064 filed

(8/2/1996).

In reference to independent claim 1, Rivette teaches:

Figure 10 illustrates a preprocessing of pages in order to display the text portion to a user

for a method of extracting, synchronizing, displaying, and manipulating text and image

documents in electronic form (compare to "*preprocessing the pages in order to display the text*

portion in them"). See Rivette, Figure 10.

Figure 30 illustrates a display divided into a navigation pane and a read pane. The two

panes contain location identifiers for various sections of the equivalent file displayed (compare

to "*dividing the display into a navigation pane and a read pane*"). See Rivette, figure 30.

The third limitation contains the phrase 'overall view'. The examiner fails to see how this

description of a view distinguishes over the suggested view presented in Figure 30 of Rivette.

The reference provides an overall view of the document in the navigation pane or the left pane.

See Rivette, figure 30. The examiner believes the reference provides a suggestion of an overall

view, as presently claimed, with the view of the patent document presented within figure 30.

As presently claimed, the language specific rules fail to distinguish over the prior art

reference to Rivette. Without any further mention of the language specific rules within the claim,

the language fails to preclude the examiner from utilizing the patent numbers illustrated in figure

30 as a way to search the text, based upon language specific rules. The language specific rules

would have been taught by the information found in the patent number **4,760,478 Column: B1**

of 6. Finally, the limitation fails to state how the searching is being accomplished or if the

machine, user, or a parser performs the searching.

4,760,478 Column: 3 of 6, as illustrated in figure 31 is selectable by the user (compare to

"*selecting the text portion between the start element and end element as the reading portion*

and placing the selected portion on the read pane"). See Rivette, figure 31. After selecting a

specific portion of the document the text is presented to the user in the read pane. The start and

element as presently claimed is suggested by the document that is brought into focus after the

selection has been made.

Finally, the reference provides arrow keys and drop down menus for searching new start and end elements. See Rivette, figure 31. However, the reference fails to explicitly state searching for a new start element and end element if a *shift command is received*. Warnock provides a type of scroll that allows a reader to scroll around in the current page. The computer's operating system or the presentation manager typically controls this. The scrolling mechanism allows the user to shift through the document based on simple keyboard features. The scrolling mechanism provides a similar result as that of a search for new start element and end element if a shift command is received. Furthermore, the reference discloses the employment of a hot key for providing article properties. The utilization of the shift key to implement the functions of a hot key was well known in the art at the time the invention was made. Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Rivette and Warnock before him at the time the invention was made, to modify the search methods of Rivette to include hot keys to shift through any type of patent document/s, because it would have allowed the user enhanced readability of specific patent sections.

In reference to dependent claim 2, Rivette teaches:

Figure 36 allows for start element to be defined within a drop down menu. This provides the user an efficient way to select and locate text within the patent document. See Rivette, figure 36. A user could base the start element on punctuation mark, number, text, etc.

In reference to dependent claim 3, Rivette teaches:

Figure 36 allows for start element to be defined within a drop down menu. This provides the user an efficient way to select and locate text within the patent document. See Rivette, figure 36. A user could base the start element on punctuation mark, number, text, etc.

In reference to dependent claim 4, Rivette teaches:

The reference provides arrow keys and drop down menus for searching new start and end

elements. See Rivette, figure 31. However, the reference fails to explicitly state searching for a

new start element and end element if a ***shift command is received***. Warnock provides a type of

scroll that allows a reader to scroll around in the current page. The computer's operating system

or the presentation manager typically controls this. The scrolling mechanism allows the user to

shift through the document based on simple keyboard features. The scrolling mechanism

provides a similar result as that of a search for new start element and end element if a shift

command is received. Furthermore, the reference discloses the employment of a hot key for

providing article properties. The utilization of the shift key to implement the functions of a hot

key was well known in the art at the time the invention was made. Therefore, it would have been

obvious to one of ordinary skill in the art, having the teachings of Rivette and Warnock before

him at the time the invention was made, to modify the search methods of Rivette to include hot

keys to shift through any type of patent document, because it would have allowed the user

enhanced readability of specific patent sections.

In reference to dependent claim 5, Rivette teaches:

Figure 36 allows for start element to be defined within a drop down menu. This provides

the user an efficient way to select and locate text within the patent document. See Rivette, figure

36. A user could base the start element on punctuation mark, number, text, etc.

In reference to dependent claim 6, Rivette teaches:

Figure 31 illustrates the selected portion being determined by column: 3 of 6. This

suggests the reading portion being a selectable parameter. Furthermore, the arrow keys beside

the patent also suggest a means of selecting a parameter being read. See Rivette, figure 31.

In reference to claims 7-15, the claims recite similar limitations to those recited in claims 1-6.

In view of the following, the claims are rejected under similar rationale.

Response to Arguments

6.   Applicant's arguments with respect to claims 1-14 have been considered but they are not

persuasive.

Applicant argues on page 7 of the amendment recites the entire independent claim and

states that Rivette and Warnock, considered either alone or in combination, fail to disclose or

suggest these claim elements. More specifically, applicant believes the reference fails to teach or

suggest 'processing the text, based on the stored language specific rules of syntax, to identify a

start element and end element'. The applicant believes it is well known that the syntax of a

language refers to the grammatical structure of a language including the arrangement of words to

show relationships of meaning within a sentence. The examiner believes the reference to Rivette

discloses language specific rules of syntax and the utilization of language specific rules within

the PTO text file. For example, column 21, lines 1-67, states that the PTO text file is read into

memory. Each of the paragraphs of the main body of the patent are and a list of locations of the

logical groups that are found are built. Only specific logical groups can appear in the main body

of the patent. Because the claim limitations are to be given their broadest reasonable

interpretation within the scope of the art, the phrase 'language specific rules of syntax', fails to

preclude the examiner from utilizing the Rivette reference and the automatic pagination as a

means of utilizing language specific rules of syntax in a memory. The text file is processed

according to the rules and the automatic pagination feature of the inventions results in an

equivalent file that is synchronized on a line, column, and page basis. The phrase, 'a start

element and end element', as presently claimed, fails to accurately describe applicant's invention

and leaves the claim open to multiple interpretations. The elements of the automatic page

automation would have provided a proficient description of a start element and an element as the

process examines each word, character and number to separate the text file into distinct pieces of

information. Therefore, figure 10, illustrates bibliographic information, figure references, section

headings, which would have provided a generic example of a start element and an end element.

The pagination process formats the PTO text file with correct column breaks, column numbers,

end of line breaks, and line numbers, thus allowing direct citation, along with the benefits of pure

text searching. An alternative is to store some of the underlying structural information about the

text in a generalized markup language such as SGML and store the raw positional information in

a binary structure format.

The graphical user interface permits a user to selectively view ASCII text documents as

well as bitmapped scanned images simultaneously on a display. When used in conjunction with

US patent documents, the graphic user interface of the present invention allows a user, such as a

patent attorney, to display and manipulate both textual as well as graphic portions of patents

(compare to "dividing the display into a navigation pane and a read pane"). See column 2, lines

39-67.

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Matthew J. Ludwig whose telephone number is 571-272-4127.

The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ML

STEPHEN HONG
SUPERVISORY PATENT EXAMINER